



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Michael L. VAZQUEZ <i>et al.</i>)	Group Art Unit: 1621
)	
Serial No. 10/750,213)	Examiner: TBA
)	
Filed: January 2, 2004)	Atty. Docket 101765.00005 (2703/9/DIV)

For: SULFONYLALKANOYLAMINO HYDROXYETHYLAMINO SULFONAMIDES USEFUL AS
RETROVIRAL PROTEASE INHIBITORS

RESPONSE TO NOTICE TO FILE MISSING PARTS

U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop Missing Parts
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated April 14, 2004, Applicants request a two-month extension of time to respond from June 14, 2004 up to and including August 16, 2004, (August 14th is a Saturday). Applicants respectfully submit that the **\$1854 additional claim fee indicated on the Notice to File Missing Parts is incorrect** in view of the Preliminary Amendment filed January 2, 2004, canceling claims 1-123 and introducing 6 claims (1 independent claim and 5 dependent claims) for prosecution in the above-captioned patent application. A copy of this Preliminary Amendment and a copy of the stamped postcard acknowledging receipt of the same are enclosed.

Applicants authorize the Commissioner to charge \$1320 to our Deposit Account No. 19-0733 for the following fees: the statutory basic filing fee of \$770, the missing parts surcharge of

\$130, and the fee for a two-month extension of time of \$420. No additional fees are believed to be due. However, should any additional fees be required or an overpayment of fees made, please credit or debit our Deposit Account No. 19-0733, as needed.

In addition to the Preliminary Amendment, Applicants submit herewith a copy of the Notice to File Missing Parts of Nonprovisional Application together with a Fee Transmittal for FY 2004, and a Petition For Extension of Time Under 37 CFR 1.136(a).

It is believed that all Patent and Trademark Office requirements have now been fully met and it is respectfully requested that the above-captioned patent application be forwarded for examination.

Respectfully submitted,

Date: August 16, 2004

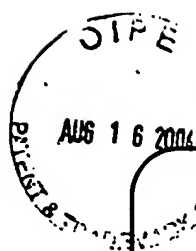
By: 

Joseph M. Skerpon
Reg. No. 29,864

BANNER & WITCOFF, LTD.
1001 G Street, N.W.
Washington, D.C. 20001
(202) 824-3000

Attachments:

- (1) Preliminary Amendment filed January 2, 2004
- (2) Stamped Postcard Acknowledging Receipt of the Preliminary Amendment
- (3) Copy of Notice to File Missing Parts of Nonprovisional Application
- (4) Fee Transmittal for FY 2004
- (5) Petition for Extension of Time Under 37 CFR 1.136(a)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004		Complete if Known		
		Application Number	10/750,213	
Effective 10/01/2003. Patent fees are subject to annual revision. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	January 2, 2004	
		First Named Inventor	Michael L. Vazquez	
		Examiner Name	TBA	
TOTAL AMOUNT OF PAYMENT (\$)		1320	Attorney Docket No.	101765.00005

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																															
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD. The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES <table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td>420</td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr><tr><td colspan="4">*Reduced by Basic Filing Fee Paid</td><td>SUBTOTAL (3)</td><td>(\$ 550)</td></tr></tbody></table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath	130	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month	420	1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____						*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(\$ 550)
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*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Joseph M. Skerpon	Registration No. (Attorney/Agent)	29,864
Signature		Telephone	202-824-3000
		Date	August 16, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-788-9199) and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/750,213	01/02/2004	Michael L. Vazquez	101765.00005 (2703/9/DIV)

CONFIRMATION NO. 6652

FORMALITIES LETTER



OC000000012349771

22907
 BANNER & WITCOFF
 1001 G STREET N W
 SUITE 1100
 WASHINGTON, DC 20001

Date Mailed: 04/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1854** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2754** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/18/2004 MAHHE1 00000123 190733 10750213

01 FC:1001 770.00 DA
 02 FC:1051 130.00 DA

- Total additional claim fee(s) for this application is **\$1854**

- \$1854 for 103 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

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☒ PATENT ☐ DESIGN BAW Ref. 101765-0005 Date 1-2-04
☒ HANDCARRY Group Section _____
Serial Patent No. TBH
Inventor Vazquez
The Sanyo Co., Ltd. of Japan
Sanyo Electric Co., Ltd.
Sanyo Electric Co., Ltd.
The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:
No. 101765-0005, relating to: a of claims 1-8
1) of independent claims 3-5 Abstract
2) of dependent claims 1-2 Formal Internal
Number of drawing sheets 5
1) Declaration of Attorney: ☒ Executed ☐ Unexecuted
Assignment w/PO Cover Sheet Copy from Inventor
IDS w/PO 149 ☐ References ☐ w/fee
☒ Preliminary Amendment
Priority Claim (foreign or U.S. Provisional BAW # _____)
Country _____ App'd # _____ Date _____
☐ w/foreign Priority Document(s)
Application: ☐ CIP ☐ Continuation ☐ Divisional
Patent Ser. No. BAW#
U.S. Provisional _____ po Spec Claims (Cover Sheet)
Response to Missing Parts Requirements at _____
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Request for Expedited Foreign Filing License
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Sequence Listing: ☐ Diskette ☐ Paper
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